

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT HAUSMAN, personal
representative of DERIK HOWARD,

Plaintiff,

v.

DELTA AIRLINES INC., JOHN
DOES 1-10,

Defendants.

CASE NO. C23-230 MJP

ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL
DATE AND RELATED
DEADLINES

This matter comes before the Court on the Parties' Stipulated Motion to Continue Trial Date and Related Deadlines. (Dkt. No. 16.) Having reviewed the Motion and all supporting deadlines, the Court GRANTS the Motion.

Rule 16(b)(4) states that "a schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). "[T]he focus of the inquiry is upon the moving party's

reasons for seeking modification” and “[i]f that party was not diligent, the inquiry should end.”
Id. (citation omitted).

The Parties have renewed their request to reset the trial and interim case deadlines by approximately nine months. In response to the Court’s prior denial, the Parties have now identified good cause for the requested extension of time. Specifically, they have explained how the replacement of the personal representative—which raised issues of a potential conflict of interest—delayed discovery, notwithstanding the Parties’ diligence. The Court agrees that there is good cause to extend the deadlines and trial date in light of the change in personal representative. The Court GRANTS the Motion and hereby sets the following new trial date and interim case deadlines:

DEADLINE	Current Deadline	New Deadline
Reports from expert witness under FRCP 26(a)(2) due	11/13/2023	7/30/2024
All motions related to discovery must be filed by and noted on the motion calendar on the third Friday thereafter (see CR 7(d))	12/13/2023	8/29/2024
Discovery completed by	1/12/2024	9/30/2024
All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (see CR 7 (d))	2/12/2024	10/31/2024
All motions in limine must be filed by and noted on the motion calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference	5/6/2024	2/11/2025
Agreed pretrial order due	5/28/2024	3/4/2025
Trial briefs, proposed voir dire questions, and proposed jury instructions	5/28/2024	3/4/2025

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Dated September 18, 2023.

Marsha J. Pechman
United States Senior District Judge